

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO.
v.	:	DATE FILED
LAURA SHAUGER	:	VIOLATIONS:
PATRICK MERGEN	:	18 U.S.C. § 2251(a) (employing a
	:	child to produce images of the child
	:	engaging in sexually explicit con-
	:	duct) – 8 counts)
	:	18 U.S.C. § 2252(a)(1) (distributing
	:	of material involving the sexual
	:	exploitation of children –3 counts)
	:	18 U.S.C. § 2252(a)(2) (receiving
	:	images of children engaging in sexu-
	:	ally explicit conduct – 4 counts)
	:	18 U.S.C. § 2252(a)(4)(B) (posses-
	:	sion of material involving the sexual
	:	exploitation of children – 1 count)
	:	Notice of forfeiture

INDICTMENT

COUNT ONE

THE GRAND JURY CHARGES THAT:

1. At all times material to this indictment, defendant LAURA SHAUGER lived in Quakertown, in the Eastern District of Pennsylvania and had access to a child under the age of 18. That child will be referred to in this Indictment as Minor #1.
2. At all times material to this indictment, defendant PATRICK MERGEN lived in Sewell, New Jersey and was the boyfriend of defendant LAURA SHAUGER.

3. Between in or about January 2010 and in or about September 2010, defendant PATRICK MERGEN urged defendant LAURA SHAUGER to take pictures of Minor #1 that depicted Minor #1 engaging in sexually explicit conduct, as that term is defined in Title 18, United States Code, Section 2256.

4. On or about each of the dates listed below, defendant LAURA SHAUGER took at least one picture of Minor #1 engaging in sexually explicit conduct.

5. Thereafter, defendant LAURA SHAUGER sent those pictures to defendant PATRICK MERGEN.

6. On three occasions between on or about September 20, 2011, and on or about September 26, 2011, defendant PATRICK MERGEN sent those pictures by e-mail to an online friend in Australia.

7. On four occasions between on or about September 20, 2011, and on or about October 16, 2011, defendant PATRICK MERGEN received pictures of other children engaging in sexually explicit conduct from his online friend in Australia.

8. On or about each of the dates listed below, each date constituting a separate count of this Indictment, in Quakertown, in the Eastern District of Pennsylvania, defendants

**LAURA SHAUGER
PATRICK MERGEN**

employed, used, persuaded, induced, and enticed Minor #1, and did aid, abet, counsel, command, induce and procure such using, persuading, inducing, and enticing of Minor #1, to engage in sexually explicit conduct for the purpose of producing a visual depiction of such conduct. That visual depiction was produced using materials that had been shipped and transported using means

and facilities of interstate and foreign commerce, and in and affecting interstate and foreign commerce, and that visual depiction was actually transported using a means and facility of interstate and foreign commerce, that is, the Internet.

<u>COUNT</u>	<u>DATE</u>
ONE	January 4, 2010
TWO	January 5, 2010
THREE	January 12, 2010
FOUR	January 19, 2010
FIVE	January 20, 2010
SIX	July 3, 2010
SEVEN	July 14, 2010
EIGHT	September 22, 2010

All in violation of Title 18, United States Code, Section 2251(a).

COUNT NINE

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 20, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly transported and shipped using a means and facility of interstate and foreign commerce, that is, the Internet, and in and affecting interstate and foreign commerce, visual depictions of Minor #1, described in Paragraph 4 of Count One, by e-mailing them to an online friend in Australia. The producing of these images involved the use of Minor #1 engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT TEN

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 20, 2011, in Sewell, in the District of New Jersey,
defendant

PATRICK MERGEN

knowingly received visual depictions of a minor engaging in sexually explicit conduct by e-mail from his online friend in Australia. Defendant PATRICK MERGEN used a means and facility of interstate and foreign commerce, that is, the Internet to receive these images, and these images had been shipped and transported in interstate and foreign commerce. The producing of these images involved a minor engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT ELEVEN

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 21, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly transported and shipped using a means and facility of interstate and foreign commerce, that is, the Internet, and in and affecting interstate and foreign commerce, visual depictions of Minor #1, described in Paragraph 4 of Count One, by e-mailing them to an online friend in Australia. The producing of these images involved the use of Minor #1 engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT TWELVE

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 24, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly received visual depictions of a minor engaging in sexually explicit conduct by e-mail from his online friend in Australia. Defendant PATRICK MERGEN used a means and facility of interstate and foreign commerce, that is, the Internet to receive these images, and these images had been shipped and transported in interstate and foreign commerce. The producing of these images involved a minor engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT THIRTEEN

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 25, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly transported and shipped using a means and facility of interstate and foreign commerce, that is, the Internet, and in and affecting interstate and foreign commerce, visual depictions of Minor #1, described in Paragraph 4 of Count One, by e-mailing them to an online friend in Australia. The producing of these images involved the use of Minor #1 engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(1).

COUNT FOURTEEN

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about September 26, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly received visual depictions of a minor engaging in sexually explicit conduct by e-mail from his online friend in Australia. Defendant PATRICK MERGEN used a means and facility of interstate and foreign commerce, that is, the Internet to receive these images, and these images had been shipped and transported in interstate and foreign commerce. The producing of these images involved a minor engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT FIFTEEN

THE GRAND JURY FURTHER CHARGES:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about October 16, 2011, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly received visual depictions of a minor engaging in sexually explicit conduct by e-mail from his online friend in Australia. Defendant PATRICK MERGEN used a means and facility of interstate and foreign commerce, that is, the Internet to receive these images, and these images had been shipped and transported in interstate and foreign commerce. The producing of these images involved a minor engaging in sexually explicit conduct, and the visual depictions were of such conduct.

In violation of Title 18, United States Code, Section 2252(a)(2).

COUNT SIXTEEN

THE GRAND JURY FURTHER CHARGES THAT:

1. Paragraphs 1 through 7 of Count One are incorporated by reference.
2. On or about August 21, 2012, in Sewell, in the District of New Jersey, defendant

PATRICK MERGEN

knowingly possessed matter, that is, a flash drives, which contained visual depictions that had been mailed and shipped and transported in interstate and foreign commerce and were produced with materials shipped and transported in interstate and foreign commerce, including by computer. The production of these visual depictions involved the use of minors engaging in sexually explicit conduct and the visual depictions were of minors engaging in sexually explicit conduct.

In violation of Title 18, United States Code, Section 2252(a)(4)(B).

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Sections 2251 and 2252, defendant

PATRICK MERGEN

shall forfeit to the United States of America any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense(s), including, but not limited to:

One Asus Laptop Computer, serial number 9CN0AS110845503
One Kingston thumb drive 16 GB (black)
One Kingston thumb drive 16 GB (red)
One Micro SanDisk SD card (2) 2 GB
One Subaru thumb drive 128 MB (silver)

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18 United States Code, Section 2253.

NOTICE OF FORFEITURE

THE GRAND JURY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 2251 and 2252, defendant

LAURA SHAUGER

shall forfeit to the United States of America any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such offense(s), including, but not limited to:

One Kodak EasyShare M753 Camera, Serial number KCGHC73200595
One Lexar SD Card 1 GB

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant(s):

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 18 United States Code, Section 2253.

A TRUE BILL:

GRAND JURY FOREPERSON



ZANE DAVID MEMEGER
UNITED STATES ATTORNEY